

Message Text

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PAGE 01 PANAMA 05954 191829Z
ACTION SAB-02

INFO OCT-01 ARA-10 ISO-00 L-03 SSO-00 SS-15 /031 W
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O 191736Z AUG 77
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC IMMEDIATE 3259
INFO PANCANAL IMMEDIATE
USCINCSO IMMEDIATE

C O N F I D E N T I A L PANAMA 5954

FOR S/AB, L, ARA/PAN FROM KOZAK AND CHESTER

E.O. 11652: GDS
TAGS: PBOR, PN
SUBJECT: PANAMA CANAL TREATY NEGOTIATIONS: DRAFTING

FOLLOWING IS A JOINT TEXT; (U.S. DRAFT ARTICLE XIII).
PROPERTY TRANSFER AND ECONOMIC PARTICIPATION OF THE REPUBLIC
OF PANAMA.

1. UPON TERMINATION OF THIS TREATY, THE REPUBLIC OF
PANAMA SHALL ASSUME TOTAL RESPONSIBILITY FOR THE MANAGEMENT,
OPERATION, AND MAINTENANCE OF THE PANAMA CANAL, WHICH SHALL
BE TURNED OVER IN OPERATING CONDITION AND FREE OF LIENS
AND DEBTS, EXCEPT AS THE TWO GOVERNMENTS MAY OTHERWISE AGREE.

2. THE UNITED STATES OF AMERICA TRANSFERS, WITHOUT
CHARGE, TO THE REPUBLIC OF PANAMA ALL RIGHTS, TITLE
AND INTEREST THE UNITED STATES OF AMERICA MAY HAVE WITH
RESPECT TO ALL REAL PROPERTY, INCLUDING NON-REMOVABLE
IMPROVEMENTS THEREON, AS SET FORTH BELOW:

(A) UPON THE ENTRY INTO FORCE OF THIS TREATY, THE PANAMA
RAILROAD AND SUCH PROPERTY THAT WAS LOCATED IN THE FORMER
CANAL ZONE BUT THAT IS NOT WITHIN THE LAND AND WATER AREAS
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THE USE OF WHICH IS MADE AVAILABLE TO THE UNITED STATES OF
AMERICA PURSUANT TO THIS TREATY. HOWEVER,
IT IS AGREED THAT THE TRANSFER ON SUCH DATE SHALL NOT INCLUDE
BUILDINGS AND OTHER FACILITIES, EXCEPT HOUSING,
THE USE OF WHICH IS RETAINED BY THE UNITED STATES PURSUANT
TO THIS TREATY AND RELATED AGREEMENTS, OUTSIDE SUCH AREAS;

(B) SUCH PROPERTY LOCATED IN AN AREA OR A PORTION THEREOF AT SUCH TIME AS THE USE BY THE UNITED STATES OF SUCH AREA OR PORTION THEREOF CEASES PURSUANT TO AGREEMENT BETWEEN THE TWO GOVERNMENTS.

(C) HOUSING UNITS MADE AVAILABLE FOR OCCUPANCY BY MEMBERS OF THE ARMED FORCES OF THE REPUBLIC OF PANAMA IN ACCORDANCE WITH ARTICLE --- OF ANNEX --- TO THE AGREEMENT IN IMPLEMENTATION OF ARTICLE IV OF THIS TREATY, AT SUCH TIME AS SUCH UNITS ARE MADE AVAILABLE TO THE REPUBLIC OF PANAMA.

(D) UPON TERMINATION OF THIS TREATY, ALL REAL PROPERTY, NON-REMOVEABLE IMPROVEMENTS, AND EQUIPMENT REMAINING IN THE REPUBLIC OF PANAMA, THAT WAS USED BY THE UNITED STATES OF AMERICA FOR THE PURPOSES OF THIS TREATY AND RELATED AGREEMENTS.

3. THE REPUBLIC OF PANAMA AGREES TO HOLD THE UNITED STATES OF AMERICA HARMLESS WITH RESPECT TO ANY CLAIMS WHICH MAY BE MADE BY THIRD PARTIES RELATING TO RIGHTS, TITLE AND INTEREST IN SUCH PROPERTY.

4. THE REPUBLIC OF PANAMA SHALL RECEIVE, IN ADDITION, A JUST AND EQUITABLE RETURN ON THE NATIONAL RESOURCES WHICH IT HAS DEDICATED TO THE EFFICIENT MANAGEMENT, OPERATION, MAINTENANCE, PROTECTION AND DEFENSE OF THE PANAMA CANAL, IN ACCORDANCE WITH THE FOLLOWING: END TEXT.
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Message Attributes

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